

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

LEMOND CYCLING, INC.,

Plaintiff,

v.

Case No. 08-CV-1010 (RHK/JSM)

TREK BICYCLE CORPORATION,

Defendant.

**AFFIDAVIT OF DEAN GORE**

STATE OF WISCONSIN            )  
  ) ss.  
COUNTY OF SHEBOYGAN        )

Dean Gore, being first duly sworn under oath, deposes and states as follows:

1. I am an adult resident of the State of Wisconsin and am the Director of Product Marketing for the Defendant, Trek Bicycle Corporation. I make this affidavit on personal knowledge.

2. Trek Bicycle Corporation is a Wisconsin Corporation, headquartered in Waterloo, Wisconsin, just 25 miles from the United States District Court for the Western District of Wisconsin. Pursuant to a sublicense agreement, LeMond Cycling, Inc. licensed the LeMond brand and LeMond trademarks to Trek.

3. The employees who make the decisions and take actions regarding the marketing, promotion, manufacture, product development, and sales of LeMond branded products, including Trek's President John Burke, myself, and others, all work at Trek's headquarters in Waterloo, Wisconsin. The majority of Trek's marketing, promotion,

manufacture, product development, and sales decisions and actions are made in Waterloo, Wisconsin, including the decisions and actions concerning Trek's international efforts.

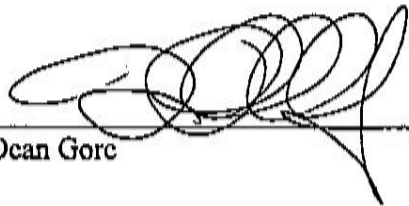
4. Trek conducts numerous marketing events in Wisconsin, including Dealer shows, promotional events around the State and Trek's annual Trek 100 bicycle ride.

Greg LeMond has traveled to Wisconsin on numerous occasions to attend these and other events. Greg LeMond is a private airplane pilot and has flown himself to these Wisconsin events in the past.

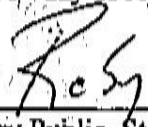
5. The majority of the documents relating to the issues in this lawsuit, including the documents concerning Trek's marketing, promotion, manufacture, product development, and sales efforts of LeMond branded products are located at Trek's headquarters in Waterloo, Wisconsin.

6. Conducting the trial of this matter in Madison, Wisconsin, as opposed to Minnesota, will allow for the attendance and participation of Trek's witnesses in court with much less disruption to Trek's ongoing business.

7. It is my understanding that LeMond Cycling, Inc. has few or no employees other than Greg LeMond, and does little business other than licensing the LeMond name to Trek.

  
\_\_\_\_\_  
Dean Gore

Subscribed and sworn to before me  
this 10<sup>th</sup> day of April 2008.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission is permanent